

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: MaxLite - SK America Inc. File No.: 198497

Filed: 8 Sept 2003 Senior Petitions Attorney: Christina Tartera Donnell

Serial No.: 10/657,334

Title: FLUORESCENT LAMP DIMMER CONTROL

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REQUEST FOR RECONSIDERATION OF PETITION
UNDER 37 C.F.R. 1.47(B)**

Dear Sir:

In response to the Decision on Petition dated September 24, 2004, Applicant submits this request for reconsideration. In the Decision on Petition, the Senior Petitions Attorney stated that it was unclear whether the non-signing inventor was presented with a complete copy of the Application papers. In the Supplemental Declaration, Mr. Sung, President of Applicant, stated that "Along with the declaration and power of attorney papers, I sent to Mr. Chong a complete copy of the application including the specification, claims and drawings." Mr. Sung further states that "Mr. Chong never returned the papers," "nor were they returned as undeliverable by the Post Office." In Mr. Sung's earlier Declaration, Mr. Sung stated that "I placed three telephone calls and left messages for Mr. Chong on his answering machine" and "Mr. Chong never returned any of those phone calls."

The Senior Petitions Attorney also stated that where a corporation is the Applicant, an officer should sign the necessary oath or declaration. In response, Applicant submits the Combined Declaration and Power of Attorney signed by Mr. Yong Sung, President of Applicant. Mr. Sung states that he is "signing on behalf of Yong Chong, the inventor."

The Declaration also sets forth the inventor's full name, residence, post office address and citizenship. It is signed by Mr. Yon Sung, President of applicant.

Applicant believes it has complied with all requirements of the Senior Petitions Attorney and respectfully requests the right to continue prosecution of this application.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Neal Slifkin", written in a cursive style.

Neal L. Slifkin

Registration No. 34,018

Harris Beach LLP
99 Garnsey Road
Pittsford, New York 14534
Telephone: (585) 419-8636



COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,
CONTINUATION, OR C-I-P)

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is for an original application.

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

FLUORESCENT LAMP DIMMER CONTROL

SPECIFICATION IDENTIFICATION

The specification was filed on September 8, 2003, as Serial No. 10/657,334

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56.

POWER OF ATTORNEY

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

APPOINTED PRACTITIONER(S)

Neal L. Slifkin
Robert C. Brown

REGISTRATION NUMBER(S)

34,018
37,057

I hereby appoint the practitioner(s) associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO

Neal L. Slifkin
99 Garnsey Road

Pittsford, NY 14534

DIRECT TELEPHONE CALLS TO:

Neal L. Slifkin
585-419-8636

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Yong Chong

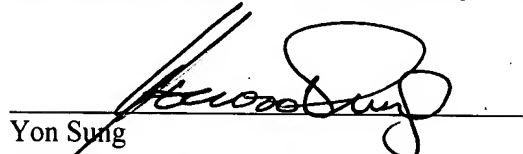
Inventor's signature _____

Date _____

Country of Citizenship Canada

Residence Mississauga, Ontario Canada

Post Office Address 3665 Arista Way Unit 1509, Mississauga, Ontario L5A 4A3 CANADA


Yon Sung

President of MaxLite-S.K. America, Inc.

Residence: Franklin Lakes, New Jersey

Post Office Address: 950 Scioto Drive, Franklin Lakes, NJ 07417

Citizenship: U.S.A.

Signing on behalf of Yong Chong

Date: Nov. 9, 2004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Mark: FLUORESCENT LAMP DIMMER CONTROL

SUPPLEMENTAL DECLARATION

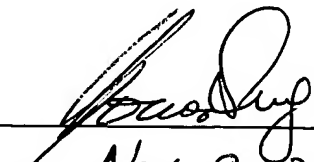
I, Yon Sung, President of Applicant ("MaxLite") declare:

1. On May 4, 2004 my attorney, Neal L. Slifkin, mailed to me a declaration and power of attorney to be signed by Yong Chong. I forwarded the papers to Mr. Chong at his address of 3665 Arista Way, Unit #1509, Mississauga, Ontario L5A 4A3, Canada. Along with the declaration and power of attorney papers, I sent to Mr. Chong a complete copy of the application including the specification, claims and drawings. Mr. Chong never returned the papers to me, nor were they returned as undeliverable by the Post Office.

2. Maxlite-S.K. America, Inc. will be irreparably harmed if it is not allowed to prosecute this application.

3. I declare under penalty of perjury that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the Application or any patent issuing therefrom.

Dated: _____


Nov. 9, 2004


Yon Sung



Certificate of Mailing By "Express Mail"

"Express Mail" Mailing Label Number: EV 446817202 US

Date of Deposit: November 19, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office To Addressee" service with sufficient postage on the date indicated above and is addressed to: Mail Stop PETITION, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

Name of Person Signing Certificate: Marilyn Tillman

Signature: Marilyn Tillman

Date of Signing: November 19, 2004